

Memorandum

*Flex your power!
Be energy efficient!*

To: DISTRICT DIRECTORS

Date: January 28, 2005

Attention: Region/District Division Chiefs
Right of Way

File: Administration
General

From: BRICE D. PARIS
Chief
Division of Right of Way and Land Surveys

Subject: Implementation of 49 CFR Part 24 Final Rule

The above referenced revisions to the Code of Federal Regulations were issued January 4, 2005 with a required implementation date of February 3, 2005.

The implementation plan was developed in close coordination with William Todd, Right of Way Officer for the California Division of the Federal Highway Administration (FHWA). The implementation memorandums, including revised exhibits for immediate use, are attached for each of the impacted R/W functional areas, i.e., Appraisals and Local Programs (Document #1), Acquisitions (Document #2), and Relocation Assistance (Document #3).

A complete copy of the final rule and the FHWA transition memorandum were sent electronically on January 14 and 21, 2005, and are also attached herein. Please refer to the transition memorandum for guidance on applying the final rule to projects that are underway. As a general rule, to facilitate consistent statewide application of item 3 in the transition memorandum, the final rule will apply if the Initiation of Negotiations (i.e., First Written Offer) was made on or after February 3, 2005, or if the Initiation of Negotiations was made prior to February 3, 2005, but the displacees have not moved as of February 3, 2005, with the exception of two minor areas in Relocation Assistance as explained in Document #3.

Other exceptions to the above implementation instructions will be considered on a case-by-case basis to ensure consistent and equitable treatment of all affected property owners or occupants.

Please provide copies of this information to your Local Agency partners as soon as possible. If you have any questions or need additional information, please contact the appropriate Headquarters' Office Chief or me.

Attachments

District Directors

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c: Terry Abbott, Division of Local Assistance
Mark Leja, Division of Design
HQ's Office Chiefs
William Todd - FHWA